

REMARKS

With this Amendment, claim 37 is added. Therefore, claims 35-37 are all the claims currently pending in this Application.

New Claim and Claim Amendments

With this Amendment, Applicants amend claim 35 and add new claim 37, in order more fully to cover various aspects of Applicants' invention as disclosed in the specification.

Entry of the amendment and new claim is respectfully requested.

35 U.S.C. § 112, second paragraph

Claims 35 and 36 are rejected under 35 U.S.C. § 112, second paragraph. The Examiner alleges that the scope of the limitation of "control means" is unclear. Applicants respectfully traverse this rejection.

Applicants submit that the scope of the "control means" and its function is clear from the specification.

Page 37, lines 2-4 recite: "a control unit 102 for enabling the transmission unit 101 to transmit current location information of one's own only in a desired period." This description clearly indicates that the control unit 102 is an example of a control means, as recited, for making a transmission means transmit current location information.

Page 58, lines 12-19 recite: "a desired period of a transportation vehicle mainly for carrying a customer from a boarding place (period where the vehicle is allowed to conduct transportation) is, for example, a period after the vehicle 22 carries a customer to an alighting place (putting the customer down at the alighting place) until putting a new customer on board or other period." This description clearly indicates that the desired period during which the control

unit operates may be a period after delivering one customer to their destination and before picking up a new customer.

Page 39, line 25 to page 40, line 6 recites: “The control unit 102 here is, for example, provided with a button for enabling the current location information 20 to be transmitted and pressing the button by the driver of the transportation vehicle 20 enables the mandatory terminal 1 of the transportation vehicle 20 to transmit information. Further, press of the button by the driver disables the mandatory terminal 1 to transmit the current location information of its own 20.” This description clearly indicates that the control means is not limited to a button, but may include a button.

Therefore, in view of the above, Applicants respectfully request that the §112 rejection of claims 35 and 36 be reconsidered and withdrawn.

35 U.S.C. § 103(a)

Claims 35 and 36 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Smith (U.S. Patent 6,430,496). Applicants respectfully traverse this rejection.

Regarding claim 35, Applicants submit that Smith fails to teach or suggest at least “control means for making said transmission means transmit said current location information only after a customer has been carried to the alighting place” as recited.

Smith is directed to an automated system in which the location of a vehicle is continuously or repeatedly transmitted from the vehicle to a server. There is no teaching or suggestion in Smith of only transmitting a location from a vehicle to a server at a specific time. In fact, Smith notes the benefit of constant monitoring of vehicle location, which teaches against only transmitting vehicle location at a specific time. (see e.g. col. 2, lines 39-52).

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Therefore, Applicants submit that claim 35 is patentable over Smith and that claim 36 is patentable at least by virtue of its dependence on claim 35. Applicants respectfully request that the rejection of claims 35 and 36 be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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